THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No.23284 of 1996

Date:24.01.2007

Between:

The Andhra Pradesh Non-Government
Retired Teacher's Association and others.

.. PETITIONERS

AND

The Chief Secretary to the Government of A.P.,
Hyderabad and another.

..RESPONDENTS

ORDER:

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The Andhra Pradesh Non-Government Retired Teacher's Association and three retired Head Masters have approached this Court seeking the benefit of retirement gratuity and family pension in terms of the judgment, dated 18.02.1991, in W.A.No.1119 of 1985.

The judgment in the aforesaid writ appeal relates to the payment of pension, but not the retirement gratuity and family pension.

Sri C.N.Moorty, learned counsel for the petitioners would submit that since the retirement gratuity and family pension constitute part of the pensionary benefits payable to an employee, the law laid down by the Division Bench with regard to the pension would apply equally for payment of retirement gratuity and family pension. The learned

counsel, while submitting that the petitioners would submit a representation in this regard to the second respondent, would seek a direction from this Court to direct the second respondent to consider and pass appropriate orders on such representation.

In view of the aforesaid statement, it is unnecessary for this Court to examine the contention as to whether the judgment in W.A.No.1119 of 1985, would be applicable with regard to retirement gratuity and family pension.

In this regard, the learned counsel for the petitioners would submit that the petitioners may be permitted to submit a detailed representation to the second respondent within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the petitioners are permitted to submit a detailed representation within a period of four (4) weeks from the date of receipt of a copy of this order and in case such a representation is filed within the aforesaid period, the second respondent shall consider the same and pass appropriate orders thereupon in accordance with law, within a period of two months from the date of receipt of such representation.

The writ petition is accordingly disposed of. No costs.

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24.01.2007

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